Centers for Medicare & Medicaid Services

Strategic Partners Acquisition Readiness Contract (SPARC)

Task Order - Ordering Guide

Version 1.0

October 12, 2018

Record of Changes

Versio	Dat	Author / Owner	Description of Change
1.0	September 13, 2018	Richard Hebbel/DICM	Initial draft
2.0	October 12, 2018	Richard Hebbel/DICM	OAGM Updates

Table of Contents

1. SPARC Introduction (CMS/HHS)

1.1   SPARC Background

SPARC is an IDIQ contract vehicle that provides a refined pool of highly qualified partners. Work is detailed in individual task orders that are competed amongst the partners. By using these pre-qualified partners, the SPARC procurement timeline is shortened and more flexible compared to a full and open competition. Customers have the additional advantages of reduced paperwork, cost-effective rates, and competitive bids on each task order solicited.

This ordering guide outlines the processes for requiring offices, Contracting Officers Representatives, contracting officers (COs), and contract specialists to follow when seeking issuing new task orders under SPARC.

Please refer to the following documents on the SPARC website when using this guide:
- Sample Market Research Report/Sources Sought
- Sample SOW/SOO
- Sample IGCE
- Sample Acquisition Plan

SPARC Templates and Best Practices:
https://www.cms.gov/Research-Statistics-Data-and-Systems/CMS-Information-Technology/SPARC/how.html

AGX AP Guidelines:
https://intranet.hhs.gov/abouthhs/contracts-grants-support/acquisition-policies-guidance/acquisition-worktools/directive-acquisition-planning/index.html

1.2   SPARC Scope

The scope of the SPARC contract includes the following major task and capability areas:
- Initiation, Concept, and Planning Services
- Requirements Services
- Design Services
- Development Services
- Testing Services
- Security Control Assessment (SCA) Services
- Independent Verification and Validation (IV&V) Services
- Maintenance Services
- Support Services
- Data Request Services
- Help Desk Support Services

1.3   SPARC Task Order Types
SPARC is a multiple-award, indefinite delivery, indefinite quantity (IDIQ) contract. The contract permits the use of any type of pricing arrangement for task orders.

SPARC includes provisions for various pricing arrangements including, but not limited to:
- Cost-plus-fixed-fee (CPFF),
- Cost-plus-award-fee (CPAF),
- Cost-plus-incentive (CPI),
- Firm-fixed-price (FFP),
- Firm-fixed-price-award-fee (FFPAF),
- Fixed-price-incentive (FPI),
- Time-and-materials (T&M) and
- Labor-hour (LH).

1.4 SPARC Types of Competition

The IDIQ contract is divided into 2 pools, a small business pool and an unrestricted pool, so that a portion of the tasks can be reserved for small business participation.
- Unrestricted – all vendors can bid
- Restricted – only small business vendors may bid
- Small Business set aside – set aside for specific small business socioeconomic categories
- Sole Source – possible with 8(a), under $4 million

Restricted Procurements Specific Set-Asides Types:
A "set-aside for small business" is the reserving of an acquisition exclusively for participation by selected small businesses. For SPARC orders small business specific types of set-asides that CMS can do. The results of market research help the CO set the set-aside accordingly. SPARC offerors the following set asides:
- Woman Owned Small Business Set-aside (when there are two or more capable contract holders)
- Service Disabled Veteran Owned Set-aside
- HubZone Set-aside
- 8a set aside

Note: Any SPARC order estimated to be under 29 million for all optional years and services (based on the IGCE) will need to be issued under SPARC as a Restricted/Small Business procurement. For any unrestricted task orders, the task order CO will include the Small Business Participation element as an evaluation factor for large business contractors.

2. CMS/HHS Task Order Ordering Process
2.1 General Policy for Issuing a Task Order

CMS requires new work to be competed among the SPARC offerors with the exception of task orders meeting the exceptions for Fair Opportunity described in FAR 16 (to be discussed with your CO). Small task orders under $4M can be set-aside for 8a contractors on a sole source basis. The process is the same for requesting agency's standard processes for placing task orders under an existing competitively awarded IDIQ contract. The requesting business unit that is utilizing SPARC should utilize lean methodologies and the United States Digital Services (USDS) Playbook guidance to maximize the use of agile contracting best practices. (https://playbook.cio.gov).

TechFAR handbook:

https://techfarhub.cio.gov/handbook/

Link to SPARC Best Practices:
https://www.cms.gov/Research-Statistics-Data-and-Systems/CMS-Information-Technology/SPARC/how.html

2.1.1 CMS Task Order Ordering Process

The requiring office will be responsible for providing a COR to coordinate task order activities with the Contracting Officer (CO) and Contract Specialist (CS). The CO/CS will be responsible for task order terms and conditions, updates to task requirements, certification of funds, task order issuance and administration, payment of invoices, task order close-out, and contractor performance reports.

COR Manual:
https://agx.cms.gov/epm#/project-preview/16#76d497cf-ff15-463b-85ee-003fbdc2bf02

CMS:
Step 1: CMS Determine if Scope of Effort Matches SPARC
Step 2: CMS Market Research/Sources Sought
Step 3: CMS Requirements
Step 4: CMS Solicitation and Award
Step 5: CMS Debrief /Post Award Notification

2.1.2 CMS Task Order Process IDIQ Scope

Step 1: CMS SPARC IDIQ Scope
SPARC encompasses a broad range of IT services to meet user's requirements. As stated above the scope of the SPARC contract includes the following major task and capability areas:
- Initiation, Concept, and Planning Services
- Requirements Services
- Design Services
- Development Services
- Testing Services
- Security Control Assessment (SCA) Services
- Independent Verification and Validation (IV&V) Services
- Maintenance Services
- Support Services
- Data Request Services
- Help Desk Support Services

The COR for the requesting office must work with their respective CO/CS to ensure the services are covered by the broad scope of SPARC.

Step 2: CMS Market Research/Sources Sought

The overall goal of market research is to determine the most suitable approach to acquiring, distributing, and supporting supplies and services. Market research will provide information on the following: Capable sources, including small businesses. A Request for Information (RFI) call also be used as Market Research.

As part of the procurement process a Sources Sought Notice (SSN) maybe required for non-set aside procurements. Sources Sought can be used as a Market research tool to determine availability of Small Business contractors capable of performing the work. Sources Sought is used to solicit interest in a project this is not requests for proposals or invitations to bid. They are useful to the contractors as their responses may influence the terms used by the agency in defining the final requirements for the project. The market research should be commensurate with what we are buying and should be supported with data. The COR and CO should consult with the SBS about the kind of market research that is reasonable.

Process:
- COR Checks Market Research as a Service (MRaaS (see link below for MRaaS to see if there is usable Sources Sought)
- If there is no usable vendor information on MRASS, the COR will work with the CO/CS or other market research.   Work with CO/CS team to determine the required market research to determine level of market research required.
- If required CMS prepares and issues Sources Sought to Small Businesses
- Vendors submit written response back to CMS
- CMS evaluates the responses from vendors
- CMS determines procurement strategy (such as restricted vs unrestricted).

Market Research as a Service (MRaaS) Tool:
Office of Information Technology (OIT) has developed the MRaaS tool that sorts prior Sources Sought information which can be used for up to 12 months. If the size, scope and complexity of the work matches the procurements. It may be possible to skip sending out the Sources Sought (COR is required to work with CO/CS to verify). The link has been provided below:

https://share.cms.gov/office/ois/RAMG/MRAAS/SitePages/LandingPage.aspx

Step 3: CMS Requirements
There are several requirements documents needed to issue a Task Orders under SPARC (or any other IDIQ); they are as follows:
- Acquisition Plan (AP),
- Statement of Work (SOW), and
- Independent Government Cost Estimate (IGCE),
- Funding such as CAMS Requisition (Real Funds or Pending Availability of Funds)
- APP Number from the CO/CS that aligns with the CAMS Funding

Process:
- Develop requirements documents
- Submit to OAGM for review

Templates for each can be found on the SPARC Web page listed below:

https://www.cms.gov/Research-Statistics-Data-and-Systems/CMS-Information-Technology/SPARC/how.html

Mention useful links on AGX:

https://agx.cms.gov/Categories/CategoryDetails.aspx?CategoryID=4&CategoryItemID=3253

https://agx.cms.gov/Categories/CategoryDetails.aspx?CategoryID=2&CategoryItemID=273

The component's GTL should send the COR the most current SOW and IGCE for review or changes; the GTL should work with his/her leadership to ensure that the SOW incorporates all necessary changes and revisions/updates; the GTL also provides all additional documentation ("Attachments") pertaining to the procurement (e.g., GFE software, Licenses provided and required, award fee plan, past performance survey, etc., including other evaluation criteria needed for the solicitation and evaluation of proposals).

Upon determination and receipt of the IGCE and SOW, the COR and GTL should work to start the AP process, working with the Contracting Officer (CO) as necessary, utilizing the OAGM Acquisition and Grants Exchange (AGX) website for AP guidance.

Upon AP full execution with signatures, the COR use the AP as the Request for Contract (RFC) Package transmittal sheet and will submit the SOW, IGCE, Acquisition Plan, 508 compliance documents, assumptions, attachments and COR certification through Comprehensive Acquisition Management System (CAMS). The COR will need to ensure that the IGCE matches the dollar value in CAMS and that funding is obligated and available.

Once OAGM has approved all necessary documents, the solicitation can be issued on SPARC.

For CMS and HHS orders, the requiring office CO or contract specialist will prepare an HHS 653 (Small Business Review Form) and submit to the cognizant small business representative for approval if required by agency procedures.

Step 4: CMS Solicitation and Award
During this step the RFP is sent to the vendors so that they can prepare the proposals. There are several key dates listed below that are part of the process:

Process in Sequential Order:
- RFP Issued to Vendors by OAGM
- TEP Panel formed by Program Management office and CMS
- Questions pertaining to RFP sent to CMS from vendors
- Responses are drafted by COR/GTL and updated RFP is sent to Vendors by CO and CS
- Notice of Intent (NOI) sent to CMS (lets CMS know who's bidding)
- Proposals Due to CMS from Vendors
- TEP Kickoff Training Provided by Panel Chair and CO
- Technical Proposals Evaluated by TEP
- 508 Section reviewed by 508 SME; findings sent to TEP for approval
- Business Proposals Evaluated (possible to do concurrent with Technical)
- TEP Chair sends Report on behalf of TEP to CO/CS for Review
- Task Order Award (or Updated proposals)

Templates on SPARC website:
- Sample Technical Evaluation
- TEP Training

See link below: https://www.cms.gov/Research-Statistics-Data-and-Systems/CMS-Information-Technology/SPARC/how.html

While awaiting the proposal submissions, the COR should contact the GTL's management and ask them to provide names of people involved in the Technical Evaluation Panel (TEP); also ask if there are any other CMS departments or groups which need to be included on the technical evaluation panel; the business owner (component) will determine whether any Subject Matter Experts (SMEs) should be included in the TEP.

- The CO or Contract Specialist (CS) shall provide a Non-Disclosure Agreement (NDA) which EVERYONE on the TEP, and any leadership who want to be involved in the procurement, must read and sign. The CO/CS will ensure/determine TEP members do not have a conflict of interest with any of the offerors.
- Upon proposal receipt by OAGM, the CO and CS will review offerors for responsiveness, and prepare to send to the COR or Procurement TA for dissemination to the panel members.
- The TEP Chair (Procurement TA within OIT/ICPG/DICM) will schedule the TEP kick-off and include all TEP members and participating SMEs; the meeting is usually within one day of proposal submission.
- The COR or Procurement TA within OIT/ICPG/DICM will work with OAGM throughout the procurement process.

There are typically two parts to the proposal evaluation; the Technical Volume and the Business Volume.

Sample Technical Evaluation Factors:
As part of the technical evaluation technical evaluation factors are used to evaluate offerors. There are many; the most common are listed below along with sample instructions.

Technical Understanding/Approach: The Government will evaluate the contract holder's understanding of the requirements and approach for delivery of services, including continuous improvement thereof, to assess the degree to which it demonstrates understanding of the FOA requirements and the merits of the approach to successfully meet the requirements/goals/objectives of the FOA.

Past Performance: The Government will evaluate the contract holder's and any proposed significant subcontractors' past performance information, which is expected to demonstrate the likelihood that the prospective task order will be performed successfully. CMS reserves the right to limit its review of past performance information to what the agency has determined to be both recent and relevant. The contract holder is advised that the Contracting Officer may consider past performance information regarding contracts performed for the U.S. federal government to be more relevant than those performed for other than the U.S. federal government. Furthermore, CMS may use sources of past performance information other than a contract holder's response (e.g., CPARS assessments, award fee determinations, interviews with personnel familiar with the past performance information, requests from federal agencies for corrective actions in connection with contract performance, etc.).

The evaluation factor should be written to put more of an emphasis on relevant experience in addition (or instead of) the generic past performance factor.

Management Approach: Offerors must demonstrate the Ability to Manage the Effort. This may include narrative, diagrams, project management teams, Work Breakdown Structure (WBS) and plans. In this section, the offeror shall discuss company systems' maturities and statuses. The offeror shall discuss tools, processes, procedures, organizations, and disciplines developed, acquired, and purchased, and which will be employed to address performance monitoring, and managing of the work. Offerors will list and describe software tools to be deployed.

This will also include the Quality Assurance & Control Plan- The offeror shall describe their proposed quality assurance planning, staffing, and operations.

Section 508 Compliance: In accordance with the terms of the Provision entitled "Electronic and Information Technology" HHSAR Provision No. 339.2, the Government is seeking to determine that EIT products and services proposed support applicable Section 508 accessibility standards http://www.section508.gov/
Offerors will be evaluated on the following factors: Ability to demonstrate compliance with the established EIT accessibility standards. Please describe tools and methodology/process which Offeror team will use to make self-originated print deliverables 508 compliant, and identify the experienced staff who will be responsible. Please describe Offeror team knowledge, abilities, tools and processes to test, verify, and ascertain if third-party contractor deliverables are fully 508-compliant as per requirements. If third-party-originated content is not compliant, how will this be mitigated or corrected? Please describe Offeror team knowledge and skillsets which can be utilized by the FMSG program office to test and make, and assure portals, websites, and webpages are 508 compliant. Completion of requested VPAT (2.0) form sections in a satisfactory manner. Please see Attachment J.7. (The VPAT (2.0) form is 44 pages and is not included within volume page count.)

Business proposal. The proposal should include staff classification and personnel level, materials, travel, overhead, and other direct costs:
- The estimated average direct labor rates for each staff classification and personnel level proposed for the task order should be included. The hours and average rates must be appropriate for the skill mix proposed.
- Any applicable indirect loadings and fees must be applied.
- Proposed travel (if applicable) should be broken out into number of trips, number of travelers, and duration of trip (including transit time) for each destination. Cost detail must be shown for all items—including commercial transportation, daily per diem rates, personal mileage, and daily car rental.
- An explanation and basis must be provided for each item of "Other Direct Cost" proposed, such as subcontractor usage, hardware or software purchases, and other materials.
- Any conflict of interest should be included. Identify any potential, actual, or apparent conflicts of interest and propose mitigation strategies.

*Evaluation criteria may vary depending on the contract type.

The following link includes procurement tips:

https://techfarhub.cio.gov/handbook/

<u>Step 5:</u> CMS Debrief /Post Award Notification

Once the award is made; Debriefs are made to all offerors that request a debrief timely. Information pertaining to the Award decision is given to offerors. See FAR section below. The CO runs the de briefs.

- There is a five day window after award to complete debriefing.An offeror can file a protest with a stay of performance (stop work) within five days of the de brief
- An offeror can file a protest without a stay in 10 days after the de brief.
- If there is a protest; OAGM and GAO will provide instructions/guidance on how to resolve.

Link to FAR De Briefs:

https://www.acquisition.gov/far/html/Subpart%2015_5.html

2.1.3   HHS and other Government Agency Requests Ordering Process

The requiring office will work with their COR and CS for the task order award at their agency. The CO, with assistance from the COR, will be responsible for modifications to task requirements, certification of funds, task order issuance and administration, payment of invoices, task order close-out, and contractor performance reports.

Steps:
Step 1: HHS Determine if Scope of Effort Matches SPARC
Step 2: HHS Market Research/Sources Sought
Step 3: HHS Requirements
Step 4: HHS Solicitation and Award
Step 5: HHS Debrief /Post Award Notification

2.1.4   HHS Task Order Process

<u>Step 1:</u> HHS SPARC IDIQ Scope
SPARC encompass a broad range of IT services to meet users requirements. As stated above the scope of the SPARC contract includes the following major task and capability areas:
- Initiation, Concept, and Planning Services
- Requirements Services
- Design Services
- Development Services
- Testing Services
- Security Control Assessment (SCA) Services
- Independent Verification and Validation (IV&V) Services
- Maintenance Services
- Support Services
- Data Request Services
- Help Desk Support Services

The COR for the requesting office must work with their respective CO/CS to ensure the services are covered by the broad scope of SPARC.

<u>Step 2:</u> HHS Market Research/Sources Sought
The overall goal of market research is to determine the most suitable approach to acquiring,

distributing, and supporting supplies and services. Market research will provide information on the following: Capable sources, including small businesses. A Request for Information (RFI) call also be used as Market Research. The requesting agency will need to work with their CO and CS to determine the required type of Market Research and Sources Sought required. A Sources Sought notice will likely be required for non-set aside procurements. Sources Sought is used to solicit interest in a project this is not requests for proposals or invitations to bid. Sources Sought is used as market research to determine the availability of contractors to perform the project. They are useful to the contractors as their responses may influence the terms used by the agency in defining the requirements for the project.

Process:
- COR from requesting agency checks with SPARCResource@cms.hhs.gov to see if there is usable Sources Sought (Scope and prior experience may vary based on offerors experience).
- If there is not usable Sources Sought on MRaaS; Requesting agency COR works with the CO/CS to prepare and issues Sources Sought to vendors (CO/CS submit notice)
- Vendors submit written response back to CMS for review
- Requesting Agency CO/CS/COR evaluates the responses from vendors,
- CO/CS/COR determines procurement strategy (such as restricted vs unrestricted).

Market Research as a Service (MRaaS) Tool:
CMS has provided MRaaS tool that sorts prior Sources Sought information which can be used for up to 12 months (Agency to work with SPARC Resource mailbox; tools is not accessible to agencies outside of CMS). If the size, scope and complexity of the work matches the procurements; it may be possible to skip sending out the Sources Sought (agency COR is required to work with CO/CS to verify).

Step 3: HHS Requirements
Agencies are required to have several key documents for issuing a Task Orders under SPARC (or any other IDIQ); they are as follows:
- Acquisition Plan (AP),
- Statement of Work (SOW), and
- Independent Government Cost Estimate (IGCE),
- Funding such as CAMS Requisition (Real Funds or Pending Availability of Funds)

Process:
- Develop requirements documents
- Submit to CO/CS for review

Templates for each can be found on the SPARC Web page listed below:

https://www.cms.gov/Research-Statistics-Data-and-Systems/CMS-Information-Technology/SPARC/how.html

Once the CO/CS has approved all necessary documents, the solicitation can be issued on SPARC.

For HHS orders, the requiring office CO or contract specialist will prepare an HHS 653 (Small Business Review Form) and submit to the cognizant small business representative for approval if required by agency procedures.

Step 4: HHS Solicitation and Award

During this step the RFP is sent to the vendors so that they can prepare the proposals. There are several key dates listed below that are part of the process:

Process:
- RFP issued to vendors by CO/CS from requesting agency (CO/CS from request agency to request SPARC distribution list from SPARC resource mailbox).
- TEP Panel formed by requesting office COR and/or PMO
- Questions pertaining to RFP sent to agencies CO/CS from vendors
- Agencies COR/CO/CS/PMO draft responses and update RFP to be sent to vendors by CO/CS
- Notice of Intent (NOI) sent to CO/CS (lets CMS know whos bidding)
- Proposals Due
- TEP Kickoff Training Provided by Panel Chair from respective agency
- Technical Proposals Evaluated by TEP and agencies 508 team
- Business Proposals Evaluated (possible to do concurrent with Technical)
- Report Sent to CO/CS for Review
- Task Order Award (or Updated proposals)

Templates on SPARC website:
- Sample Technical Evaluation
- TEP Training

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While awaiting the proposal submissions, the COR from the requesting agency should contact the GTL's/technical team management and ask them to provide names of people involved in the Technical Evaluation Panel (TEP); also ask if there are any other CMS departments or groups which need to be included on the technical evaluation panel; the business owner (component) will determine whether any Subject Matter Experts (SMEs) should be included in the TEP.
- The CO or Contract Specialist (CS) shall provide a Non-Disclosure Agreement (NDA) which EVERYONE on the TEP, and any leadership who want to be involved in the procurement, must read and sign.
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13

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Past Performance: CMS will evaluate the contract holder's and any proposed significant subcontractors' past performance information, which is expected to demonstrate the likelihood that the prospective task order will be performed successfully. CMS reserves the right to limit its review of past performance information to what the agency has determined to be both recent and relevant. The contract holder is advised that the Contracting Officer may consider past performance information regarding contracts performed for the U.S. federal government to be more relevant than those performed for other than the U.S. federal government. Furthermore, CMS may use sources of past performance information other than a contract holder's response (e.g., CPARS assessments, award fee determinations, interviews with personnel familiar with the past performance information, requests from federal agencies for corrective actions in connection with contract performance, etc.).

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This will also include the Quality Assurance & Control Plan- The offeror shall describe their proposed quality assurance planning, staffing, and operations.

Business proposal. The proposal should include staff classification and personnel level, materials, travel, overhead, and other direct costs:

- The estimated average direct labor rates for each staff classification and personnel level proposed for the task order should be included. The hours and average rates must be appropriate for the skill mix proposed.

- Any applicable indirect loadings and fees must be applied.

- Proposed travel (if applicable) should be broken out into number of trips, number of travelers, and duration of trip (including transit time) for each destination. Cost detail must be shown for all items—including commercial transportation, daily per diem rates,

14

personal mileage, and daily car rental.

- An explanation and basis must be provided for each item of "Other Direct Cost" proposed, such as subcontractor usage, hardware or software purchases, and other materials.
- Any conflict of interest should be included. Identify any potential, actual, or apparent conflicts of interest and propose mitigation strategies.

Step 5: **HHS Debrief /Post Award Notification**

Once the award is made; Debriefs are made to all offerors. Information pertaining to the Award decision is given to offerors. See FAR section below. The CO runs the de briefs from requesting agency.

- There is a five day window after award to complete de briefs
- An offeror can file a protest with a stay of performance (stop work) within five days of the de brief
- An offeror can file a protest without a stay in 10 days after the de brief.
- If there is a protest; OAGM and GAO will provide instructions/guidance on how to resolve.

Link to FAR De Briefs:

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